

Swain, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Aedes De Venustas, Inc.,

Plaintiff,

v.

Venustas International, LLC,

Defendant.

1:07-CV-04530-LTS-THK



[PROPOSED] ORDER

unopposed for

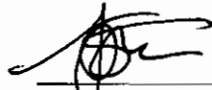
The Court, having considered the Notice of Motion and Motion in Limine filed by Defendant, Batallure Beauty LLC, f/k/a Venustas International, LLC on October 20, 2009, as well as the Memorandum of Law in support thereof, the Declaration of Kristen McCallion, and the exhibits annexed hereto, and for other good cause;

IT IS HEREBY ORDERED that Defendant Batallure Beauty LLC's Motion in Limine to preclude and/or exclude any and all evidence and argument set forth by Plaintiff, Aedes de Venustas, Inc., in support of the following allegations:

- (a) Plaintiff is entitled to an award of Defendant's profits based on a theory of unjust enrichment;
- (b) the profits earned by Defendant are profits that Plaintiff would have earned but for the infringement previously found by the Court in this action; and
- (c) the profits earned by Defendant are attributable to Defendant's use of the designation "Venustas."

be hereby GRANTED. *This order resolves docket entry no. 115.* 

Dated: November 12, 2009



The Honorable Laura Taylor Swain
United States District Judge

